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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                            |                 |                        |
|-------------|----------------------------|-----------------|------------------------|
| Applicant:  | LOVETT <i>et al.</i>       | Examiner:       | Nguyen, H.             |
| Serial No.: | 10/643,006                 | Group Art Unit: | 3736                   |
| Filed:      | August 18, 2003            | Docket No.:     | GUID.060PA<br>(99-147) |
| Title:      | SLEEP STATE CLASSIFICATION |                 |                        |

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 1, 2007.

By   
Rennae Johnson

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's requirement for restriction dated October 1, 2007, claims 1-4, 6-7, 10-15, 17-26, 28-30, 48-49, 51-52, 54-55, 58, 60, and 62-80, corresponding to the embodiment of Figure 1B are elected for prosecution without traverse. Claims 5, 8-9, 16, 27, 31-47, 50, 53, 56-57, 59, 61 have been canceled without prejudice for prosecution in one or more divisional applications.

**THE CLAIMS** are reflected in the listing of claims which begins on page 2 of this paper.

**REMARKS/ARGUMENTS** begin on page 10 of this paper.